

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
300 Quarropas Street, Room 260  
White Plains, N.Y. 10601-4150  
Tel: (914) 428-7124 Fax: (914) 997-6872

David E. Patton  
*Executive Director  
and Attorney-in-Chief*

Susanne Brody  
*Attorney-in-Charge  
White Plains*

May 22, 2013

Honorable Lisa Margaret Smith  
United States Magistrate Judge  
300 Quarropas Street  
White Plains, New York 10601

**Re: United States v. Stephen Cannella  
12mj3228**

Dear Judge Smith:

I write on behalf of my client, Stephen Cannella, to respectfully request that the Court modify the conditions of release imposed on December 21, 2012. At that time, the Court ordered, among other conditions, release on a \$50,000 personal recognizance bond secured by the signatures of both his parents, with home detention, a curfew restricting Mr. Cannella to his father's residence after 9 p.m., and electronic monitoring. The Court did not authorize Mr. Cannella to leave his father's residence for employment or education as an exception the home confinement condition. Recently, the pretrial services officer for Mr. Cannella, Leo Barrios, received and forwarded to defense counsel the Court-ordered "sex-specific mental health assessment" prepared by Dr. Kenneth J. Lau. Based upon Dr. Lau's recommendation that Mr. Cannella obtain suitable employment, and Mr. Barrios concurring in that assessment, Mr. Cannella seeks to modify conditions of pretrial release to now allow him to seek, begin and maintain suitable employment subject to approval by Mr. Barrios.

I have spoken with Assistant United States Attorney Ilan Graf, and he takes no position with regard to this request. Thank you for your consideration of this matter.

Respectfully submitted,

  
Jason Ser  
Assistant Federal Defender

**SO ORDERED:**

  
**HONORABLE LISA MARGARET SMITH**  
United States Magistrate Judge

5/23/13

CC: Ilan Graff, A.U.S.A., Mr. Stephen Cannella